

**COPY FROM PARENT APPLICATION
USSN 09/845,379, filed on 04/30/2001**

Docket No.
97,128-AA
(WH 5017)

**DECLARATION AND
POWER OF ATTORNEY**

As an inventor named below, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or, an original, first and joint inventor (if more than one name is listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Inhibition of Matrix Metalloproteases by Substituted Biaryl Oxobutyric Acids

the specification of which:

- ☐ is attached hereto
- ☐ was Express Mailed on _____, Serial No. not yet known
- ☒ was filed on 15 May 1997 as United States Application Serial No. 08/856,693
- ☐ was amended on _____
- ☐ was described and claimed in PCT International Application No. _____
filed on _____, and as amended under PCT Article 19 on _____

I hereby state that I have reviewed and understand the contents of the specification identified above, including the claims, as amended in any amendment referred to above.

I acknowledge my duty to disclose information which is material to patentability as defined in 37 CFR § 1.56.

I hereby claim the benefit under 35 USC § 119(e) of any United States provisional application(s) listed below.

US Provisional Application(s) from which priority is claimed:

- | | <u>Application Number</u> | <u>Day/Month/Year Filed</u> | |
|----|---------------------------|-----------------------------|--|
| 1. | 60/ | 15 May 1996 | and which resulted from conversion of Application Serial No. 08/648,493 to a provisional application |
| 2. | | | |

I hereby claim foreign priority benefits under 35 USC § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or under § 365(a) or § 365(b) of any PCT international application which designated at least one country other than the United States, listed below.

Prior Foreign or PCT Application(s) from which priority is claimed:

- | | <u>Number</u> | <u>Country</u> | <u>Day/Month/Year Filed</u> |
|----|---------------|----------------|-----------------------------|
| 1. | | | |
| 2. | | | |

I hereby claim the benefit under 35 USC § 120 of any United States application(s), or under § 365(c) of any PCT International application(s) designating the United States listed below.

Previously filed PCT Application(s) designating the US, and previously filed US Divisional, Continuation or Continuation in Part Applications on the same subject:

	<u>Number</u>	<u>Type (PCT/US-CIP/etc.)</u>	<u>Day/Month/Year Filed</u>	<u>Status</u>
1.				
2.				

Insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international applications in the manner provided by the first paragraph of 35 USC § 112, I acknowledge my duty to disclose information which is material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

I have also identified below any foreign application for patent or inventor's certificate, or PCT international application filed by me on the same subject matter and having a filing date before that of the application(s) from which priority is claimed.

Application(s) filed before the priority document(s):

None ☒

	<u>Number</u>	<u>Country</u>	<u>Day/Month/Year Filed</u>
1.			
2.			

I hereby appoint the following attorney(s) to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith.

Jeffrey M. Greenman	Reg. No. 26552
Barbara A. Shimei	Reg. No. 29862
William F. Gray	Reg. No. 31018
Alice A. Brewer	Reg. No. 32888
Huw Jones	Reg. No. 33916

John J. McDonnell	Reg. No. 26949
Daniel A. Boehnen	Reg. No. 28399
Bradley J. Hulbert	Reg. No. 30130
Paul H. Berghoff	Reg. No. 30243
Grantland G. Drutchas	Reg. No. 32565
Denis A. Berntsen	Reg. No. 26707
James C. Gumina	Reg. No. 32898
David M. Frischkorn	Reg. No. 32833
A. Blair Hughes	Reg. No. 32901
Leif R. Sigmond, Jr.	Reg. No. 35680
Lawrence H. Aaronson	Reg. No. 35818
Thomas A. Fairhall	Reg. No. 34591
Matthew J. Sampson	Reg. No. 35999
Steven J. Sarussi	Reg. No. 32784
Michael S. Greenfield	Reg. No. 37142
Kevin E. Noonan	Reg. No. 35303
Curt J. Whitenack	Reg. No. 36054
Mark Chao	Reg. No. 37293
Emily Miao	Reg. No. 35285
Patrick Halloran (agent)	Reg. No. 41053

Amir Penn
Audrey L. Bartnicki

Reg. No. 40767
Reg. No. 40499

Address all telephone calls to William F. Gray at (203) 812-2712

Address all written correspondence to:

Mr. Jeffrey M. Greenman
Vice President, Patents & Licensing
Bayer Corporation
400 Morgan Lane
West Haven, Connecticut 06516

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 USC § 1001, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor: Michael C. VanZandt
Given/first name Middle name/initial Family/last name

Inventor's signature: Michael Van Zandt Date: 1/23/98
Residence: City Guilford State Connecticut Country U.S.A.
Post Office Address: 56 Barker Hill Drive, Guilford, Connecticut 06437, U.S.A.
Country of Citizenship: United States of America

Full name of second joint inventor: David R. Brittelli
Given/first name Middle name/initial Family/last name

Inventor's signature: David R Brittelli Date: 1/23/98
Residence: City Branford State Connecticut Country U.S.A.
Post Office Address: 240 Stony Creek Road, Branford, Connecticut 06405, U.S.A.
Country of Citizenship: United States of America

Full name of third joint inventor: Brian R. Dixon
Given/first name Middle name/initial Family/last name

Inventor's signature: Brian R Dixon Date: 1/23/98
Residence: City Woodbridge State Connecticut Country U.S.A.
Post Office Address: 1220 Johnson Road, Woodbridge, Connecticut 06525, U.S.A.
Country of Citizenship: United States of America